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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEVADA

CASE NO. 2:04-cv-1488-RCJ-PAL

**STIPULATION AND ORDER
TO VACATE THE AUGUST 28, 2009
ORAL ARGUMENT RE: MOTION
NOS. 118 AND 119**

MANDALAY RESORT GROUP, fka
CIRCUS CIRCUS ENTERPRISES, INC. a
Nevada corporation; MANDALAY
DEVELOPMENT, fka CIRCUS CIRCUS
DEVELOPMENT CORP., a Nevada
corporation; and MANDALAY CORP., a
Nevada corporation,

Plaintiff,

v.

TERRACON CONSULTANTS WESTERN,
INC., an Iowa corporation; TERRACON,
INC., an Iowa corporation; and DOES 1
through 50, inclusive,

Defendant.

AND ALL RELATED ACTIONS

25 Defendants Terracon Consultants Western, Inc. and Terracon, Inc., Plaintiff Mandalay
26 Resort Group, fka Circus Circus Enterprises, Inc., and Third-Party Defendants The Pressure Grout
27 Company, Lochsa, LLC & Klai-Juba Architects, Ltd., by and through their respective counsel of
28 record, hereby stipulate to vacate the August 28, 2009 oral argument regarding Motion Nos. 118,

1 Renewed Motion for Summary Judgment and 119, Motion to Dismiss Third-Party Plaintiff
2 Terracon, Inc.'s Third-Party Complaint (Renewed).

3 The parties will request a new hearing date following the completion of settlement
4 discussions.

5 Dated this 27 day of August 2009

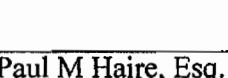
6 GIRARDI & KEESE

7 By: 

8 Shahram Shayesteh, Esq.
9 David R. Lira, Esq.
10 1126 Wilshire Blvd.
11 Los Angeles, CA 90017
12 -and-
13 Dennis R. Haney, Esq.
14 Stefanie R. Shields, Esq.
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16 1117 South Rancho Drive
17 Las Vegas, NV 89102
18 702-474-7009 Fax
19 Attorneys for Plaintiff
Mandalay Report Group f/k/a
Circus Circus Enterprises, Inc.

20 Dated this ____ day of August 2009

21 CISNEROS CLAYSON & MARIAS

22 By: 

23 Paul M Haire, Esq.
1140 Town Center Dr., Ste. 200
Las Vegas, NV 89144
Attorneys for Third Party Defendant
The Pressure Grout Company

24 IT IS SO ORDERED.

25 Dated this 27 day of August 2009

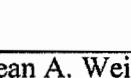
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Terracon Consultants Western, Inc.;
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29 Dated this ____ day of August 2009

30 WEIL & DRAGE, APC

31 By: 

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Lochsa, LLC & Klai-Juba Architects, Ltd.

33 UNITED STATES MAGISTRATE JUDGE

1 Renewed Motion for Summary Judgment and 119, Motion to Dismiss Third-Party Plaintiff
2 Terracon, Inc.'s Third-Party Complaint (Renewed).

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4 discussions.

5 Dated this ____ day of August 2009

6 GIRARDI & KEESE

7 By:

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17 Dated this 27 day of August 2009

18 CISNEROS CLAYSON & MARIAS

19 By:

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Las Vegas, NV 89144
Attorneys for Third Party Defendant
The Pressure Grout Company

24 IT IS SO ORDERED.

Dated this ____ day of August 2009

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27 UNITED STATES MAGISTRATE JUDGE

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2 Terracon, Inc.'s Third-Party Complaint (Renewed).

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4 discussions.

5 Dated this ____ day of August 2009

6 GIRARDI & KEESE

Dated this ____ day of August 2009

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23 Dated this ____ day of August 2009

24 CISNEROS CLAYSON & MARIAS

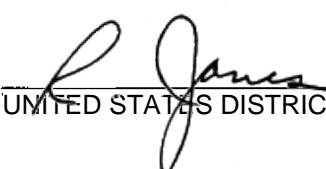
Dated this 27th day of August 2009

WEIL & DRAGE, APC

25 By: _____
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Lochsa, LLC & Klai-Juba Architects, Ltd.

29 IT IS SO ORDERED.

30 
31 UNITED STATES DISTRICT JUDGE
32
33

CERTIFICATE OF SERVICE

Pursuant to Nev. R. Civ. P. 5(b), I hereby certify that service of the foregoing

STIPULATION AND ORDER TO VACATE THE AUGUST 28, 2009 ORAL ARGUMENT

RE: MOTION NOS. 118 AND 119 was made this 27th day of August 2009, by electronic transmission to the parties on electronic file:

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